

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE ADOPTING THE 2003 DOWNTOWN SPECIFIC PLAN AS PART OF THE CITY'S DOWNTOWN IMPROVEMENT PROGRAM UPDATE

WHEREAS, the City of Sunnyvale has been engaged for a number of years in a Downtown Improvement Program with the goal of revitalizing the City's original central area. The Program has consisted of a number of City-adopted, interrelated planning and redevelopment components, including the Sunnyvale Downtown Specific Plan and associated Zoning Code provisions (adopted 1993), the Murphy Avenue Design Guidelines (adopted 1994), and the Sunnyvale Downtown Redevelopment Plan (adopted 1975, amended 1993); and

WHEREAS, the City is now in the process of updating its Downtown Improvement Program. In April of 2002, the City Council conceptually approved a Downtown Design Plan (the "April 2002 Design Plan") created by a previously convened Stakeholders Committee. The stated goal of the Plan is to create and maintain "an enhanced, traditional downtown serving the community with a variety of destinations in a pedestrian friendly environment," through various land use and development standard revisions, new downtown design guidelines, new circulation and parking recommendations, and revised streetscape design standards; and

WHEREAS, the City Council directed staff to prepare an Update for the Downtown Improvement Program ("the Project") utilizing the April 2002 Design Plan concepts, including its suggested land-use mixes, densities and building height limitations, and to undertake necessary environmental review of the proposed update; and

WHEREAS, a draft and final Program Environmental Impact Report (jointly the "Program EIR") was prepared to assess the potential environmental impacts of the Project, describe alternatives to the Project proposal and potential mitigation measures. Specific components of the Project considered in the Program EIR included:

- 1) adoption of amendments to the City of Sunnyvale General Plan Land Use and Transportation Element (including the Downtown Specific Plan section) and General Plan Map,
- 2) adoption of amendments to the City's Zoning Code, including the Precise Zoning Plan/Zoning District Map, and Chapters 19.28 (Downtown Specific Plan District) and 19.80 (Design Review),
- 3) adoption of amendments to the 1993 Sunnyvale Downtown Specific Plan to incorporate various land use designations, development standard revisions, design guideline revisions, circulation and parking recommendations,

and streetscape standard revisions proposed for the Downtown Design Plan area and three adjacent areas, and

4) adoption of related amendments to the Sunnyvale Downtown Redevelopment Plan necessary to achieve consistency with the other amendments, extend the redevelopment plan's financial limits, and reestablish the Sunnyvale Redevelopment Agency's eminent domain authority over non-residential property as a means of implementing the overall downtown improvement program; and

WHEREAS, on June 17, 2003, after a public hearing duly held, the City Council reviewed the documents comprising the Program EIR and found that the Program EIR reflects the independent judgment of the City Council and its staff, and is an adequate and extensive assessment of the environmental impacts of the Project. The City Council certified the Program EIR as having been prepared in compliance with the requirements of the California Environmental Quality Act ("CEQA"), made necessary findings and adopted the mitigation and monitoring program (Resolution No. 123-03); and

WHEREAS, at the June 17, 2003 meeting the City Council also considered and adopted an amendment to the General Plan Land Use and Transportation Element ("the General Plan Amendment"), including the General Plan Map, as a first step in approving the Project, and designated specific land uses, densities and heights for the Project area; and

WHEREAS, the City Council directed staff at the June 17, 2003 meeting to prepare the Downtown Specific Plan revisions and amendments to the Zoning Code in accordance with the densities, heights and land-uses specified in the General Plan amendment; and

WHEREAS, staff has prepared such revisions and the Planning Commission has considered the revised Downtown Specific Plan as well as the proposed Zoning Code amendment at a public hearing held on October 6, 2003, and has recommended the City Council's adoption of the proposed Downtown Specific Plan and Zoning Code amendments; and

WHEREAS, the City Council held a public hearing on October 14, 2003, and has considered the reports and documents presented by City staff, the Planning Commission's recommendation, and the written and oral comments presented at the public hearing.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Sunnyvale that it hereby adopts the following findings and actions:

I. THE REVISED DOWNTOWN SPECIFIC PLAN. The Downtown Specific Plan area comprises approximately 125 acres, generally bounded by Evelyn Avenue to the north, Bayview Avenue to the east, El Camino Real to the south, and Charles Street to the west. The revisions to the Downtown Specific Plan and associated

Zoning Code amendments have been prepared to reflect current community values and achieve consistency with the General Plan. A copy of the revised plan has been presented to the Planning Commission and City Council and is available to the public. The Downtown Specific Plan builds on the land uses, densities and heights contained in the General Plan, and provides more specific direction about public and private improvements, including goals and policies, building design guidelines, and infrastructure improvement programs. The revised plan increases the number of residential units, emphasizes reconnection of the street grid to the extent possible in the Town Center area, and allows for wider sidewalks and taller buildings along Mathilda Avenue. The primary goals of the revised plan are to:

- 1) develop land uses in the General Plan adopted by City Council in June 2003 in an attractive and cohesive physical form that clearly identifies Sunnyvale's downtown,
- 2) establish the downtown as the cultural, retail, financial and entertainment center of the community, complimented by employment, housing and transit opportunities,
- 3) promote a balanced street system that serves all users well regardless of their mode of transportation,
- 4) protect and enhance existing neighborhoods, and
- 5) improve the street character.

Further information about the development contemplated by the revised plan may be found in the staff reports presented to City Council, as well as the revised plan and the Zoning Code amendments which implement the plan, and in the Program EIR, as well as other documents maintained by City staff.

II. ENVIRONMENTAL REVIEW. The proposed revisions to the Downtown Specific Plan were considered as part of the project analyzed in the Program EIR for the Downtown Improvement Program Update. The City Council reviewed the Program EIR and found that it reflects the independent judgment of the City Council and its staff, and is an adequate and extensive assessment of the environmental impacts of the Project. The City Council certified the Program EIR as having been prepared in compliance with the requirements of the California Environmental Quality Act ("CEQA"), made necessary findings, adopted a statement of overriding considerations related to certain impacts on traffic and air quality, and adopted a mitigation and monitoring program (Resolution No. 123-03, June 17, 2003 meeting.) The City Council incorporates by this reference the findings contained in the Program EIR as to the environmental effects of the Project, together with the additional findings contained in this Resolution. The City Council finds that the proposed revisions to the Downtown Specific Plan are consistent with the Project reviewed in the Program EIR, therefore no additional environmental review is required. The Downtown Specific Plan is subject to the Mitigation Monitoring Program adopted by the City Council for the Project. Future site-specific development proposals will be subject to further environmental review on a project-by-project basis.

III. DOWNTOWN SPECIFIC PLAN AMENDMENT. Based on the foregoing findings, the City Council finds and determines that the revisions to the 1993 Downtown Specific Plan constitute a suitable and logical change in the plan for the physical development of the City of Sunnyvale, and it is in the public interest to approve the revised Downtown Specific Plan in its entirety. The City Council finds that the revised plan is consistent with the City's General Plan, and supports the City's long term goals for the downtown. Based upon the revised plan's consistency with the General Plan, and subject to the implementation of the Mitigation Monitoring Program as a condition of approval, the City Council approves and adopts the "City of Sunnyvale Downtown Specific Plan 2003," a copy of which is on file in the office of the City Clerk.

IV. BE IT RESOLVED FURTHER, that the City Clerk is directed to file a certified copy of the City of Sunnyvale Downtown Specific Plan 2003 with the Board of Supervisors and the Planning Commission of the County of Santa Clara and the planning agency of each city within the County of Santa Clara. The City Clerk is directed further to file a certified copy of the plan with the legislative body of each city, the land of which may be included in the plan.

Adopted by the City Council at a regular meeting held on October 14, 2003 by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor